

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

| | | |
|------------------------------|---|------------------------|
| AUNTY TOOTIE'S, INC. |) | |
| |) | CASE NO.: 5:15-CV-0054 |
| PLAINTIFF |) | |
| |) | JUDGE: DAN A. POLSTER |
| V. |) | |
| |) | |
| ROUSH'S MARKET, INC., et al. |) | |
| |) | |
| DEFENDANTS |) | |

STIPULATED PERMANENT INJUNCTION

In partial resolution of this litigation, the parties hereto stipulate to a permanent injunction prohibiting defendants, jointly and severally, and whether individually or in concert or association with others, from using the AUNTY TOOTIE'S name, the trademark of Federal Registration No. 4,390,574 for AUNTY TOOTIE'S, or any substantially similar trademark in association with food products.

Subject to the approval of the Court, the parties hereto respectfully request entry of this permanent injunction.

Respectfully submitted,

s:/Ray L. Weber

Ray L. Weber (0006497)

Laura J. Gentilcore (0034702)

Mark L. Weber (0072078)

RENNER, KENNER, GREIVE, BOBAK,
TAYLOR & WEBER

106 South Main Street, Suite 400

Akron, OH 44308

Telephone: (330) 376-1242

Fax: (330) 376-9646

E-mail: rlweber@rennerkenner.com

E-mail: ljgentilcore@rennerkenner.com

s:/Edward L. Gilbert
Edward L. Gilbert (0014544)
EDWARD L. GILBERT CO. L.P.A.
One Cascade Plaza, Suite 825
Akron, OH 44308
Telephone: (330) 376-8855
Fax: (330) 376-8857
E-mail: egilbert@edwardlgilbert.com

Attorneys for Plaintiff

s:/Barry Y. Freeman
Barry Y. Freeman (0062040)
BUCKINGHAM, DOOLITTLE &
BURROUGHS, LLC
One Cleveland Center
1375 East Ninth Street, Suite 1700
Cleveland, OH 44114
Telephone: (216) 736-4223
Fax: (216) 615-3023
E-mail: bfreeman@bdbl.com

*Attorney for Defendants Diamond K Meats, Inc.
and Carl Vennitti, Jr.*

s:/Mark A. Greer
Mark A. Greer (0037198)
GALLAGHER SHARP
Sixth Floor – Bulkley Building
1501 Euclid Avenue
Cleveland, OH 44115
Telephone: (216) 241-5310
Fax: (216) 241-1608
E-mail: mgreer@gallaghersharp.com

Attorney for Defendant Roush's Market, Inc.